

ORIGINAL

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Attorneys for L. D. FITZGERALD, TRUSTEE

U.S. COURTS
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CLERK
CAMPBELL S. BURKE
CLEVELAND, OHIO

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO

★ ★ ★ ★ ★

In Re:)	BK Case No. 99-40408-P-7
)	
ANDREASEN, Kim M. and)	APPLICATION FOR COMPENSATION
ANDREASEN, Valorie Kay)	& REIMBURSEMENT FOR EXPENSES
husband and wife, d/b/a Maxi's,)	AND FEES BY TRUSTEE'S ATTORNEY
)	
Debtors.)	
_____)	

COMES NOW Daniel C. Green of the law firm RACINE, OLSON, NYE, BUDGE & BAILEY, CHARTERED, Applicant herein, and respectfully represents to the Court as follows:

1. Applicant has acted as attorney for L. D. FITZGERALD, TRUSTEE, the duly appointed and acting Trustee in bankruptcy for the above-named Debtors, in the above-entitled proceedings under the Act of Congress relating to bankruptcy having been employed as such by Trustee filing his Application for Leave to Retain Attorneys on April 28, 1999, and under authority of an Order Authorizing Employment of Counsel by Trustee issued by this Court on May 19, 1999.

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2. Applicant has rendered professional services for said Trustee and the estate of the above-named Debtors, the nature and extent of such services being described more fully in the statement attached hereto and incorporated herein by reference.

3. The value of said services described above is set out in the statement attached hereto and incorporated herein by reference.

4. All services for which compensation is requested by Applicant were performed for and on behalf of said Trustee and not on behalf of any committee, creditor or other persons.

5. Because of said services rendered by Applicant, Debtors' estate has benefitted.

6. Further, Applicant sustained and incurred expenses and/or costs of Court described and itemized in the statement attached hereto, in connection with Applicant's function and activities as attorney for said Trustee.

WHEREFORE, Applicant prays that said Trustee be ordered and authorized to pay to the law offices of Racine, Olson, Nye, Budge & Bailey, Chartered the sum of \$835.00 as and for compensation for services rendered as attorney for said Trustee, (or such amount as to the Court may seem reasonable and just) and the sum of \$160.98 as and for reimbursement for expenses incurred by Applicant, for a total of NINE HUNDRED NINETY-FIVE DOLLARS AND NINETY-EIGHT CENTS (\$995.98), as part of the costs and expenses of the administration of the above-named Debtors' estate.

DATED this 29 day of November, 2000.

RACINE, OLSON, NYE, BUDGE
& BAILEY, CHARTERED

By 
DANIEL C. GREEN
Attorney for L. D. Fitzgerald, Trustee

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused a true, correct and complete copy of the foregoing document to be served by U.S. first-class mail, postage prepaid, upon the following unless a different method of service is indicated:

Kim M. Andreasen and
Valorie Kay Andreasen
14729 North Highway #34
Thatcher, Idaho 83283

Thomas W. Clark, Esq.
Merrill and Merrill, Chartered
P. O. Box 991
Pocatello, Idaho 83204-0991

L. D. Fitzgerald, Trustee
P. O. Box 6199
Pocatello, Idaho 83205-6199

Office of the U.S. Trustee
P. O. Box 110
Boise, Idaho 83701-0110

on this 29 day of November, 2000.


DANIEL C. GREEN

Law Offices of
RACINE, OLSON, NYE, BUDGE & BAILEY
CHARTERED
Center Plaza - Corner 1st and Center
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L.D. FITZGERALD
P.O. BOX 6199
POCATELLO ID 83205-6199

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11/27/00
ACCOUNT NO: 510-0025610C

ANDREASON, KIM M./VALORIE KAY DBA MAXI'S
BK CASE # 99-40408

	HOURS	
04/21/99		
DCG RECEIVE AND REVIEW SCHEDULES; DRAFT PREFERENCE LETTERS	0.50	50.00
04/26/99		
KMN TWO TELEPHONE CONFERENCES WITH VONAVEE LEONHARDT, LEONHARDT DISTRIBUTING RE: OUR DEMAND LETTER; THREE TELEPHONE CONFERENCES WITH LORI AT CUSTOM HEATING RE: OUR DEMAND LETTER	1.50	67.50
04/29/99		
KMN TELEPHONE CONFERENCE WITH CAROLINE CASE, IDAHO STATE TAX COMMISSION, RE: MONEY WAS FOR SALES TAX	0.30	13.50
05/06/99		
KMN TELEPHONE CONFERENCE WITH LAMONT JONES RE: TITLE COMPANY'S CLOSING COSTS; TELEPHONE CONFERENCE WITH HELEN HORSLEY RE: RENTAL PAYMENTS AND SENDING US A LETTER	0.60	27.00
05/10/99		
KMN TELEPHONE CONFERENCE WITH JASON CAMMACK RE: SENDING DOCUMENTS	0.30	13.50
DCG RECEIVE AND REVIEW LETTERS FROM STATE OF IDAHO AND CHARLIE JOHNSON ON BEHALF OF ASSOCIATES RE: PREFERENTIAL TRANSFERS; RECEIVE AND REVIEW RESPONSE FROM SYSCO, ALLIANCE TITLE, IRELAND BANK & CUSTOM		

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ANDREASON, KIM M./VALORIE KAY DBA MAXI'S
BK CASE # 99-40408

	HOURS	
HEATING	1.00	100.00
05/13/99		
DCG RECEIVE AND REVIEW LETTER FROM CRAIG CHRISTENSEN RE: IRELAND BANK LOAN DOCUMENTS	0.50	50.00
05/14/99		
KMN TELEPHONE CONFERENCE WITH LORI AT CUSTOM HEATING RE: WHEN WORK PERFORMED (PRIOR TO 7/98)	0.30	13.50
05/19/99		
DCG TELEPHONE CONFERENCE WITH TRUSTEE RE: ACC MOTION FOR STAY RELIEF	0.30	30.00
06/01/99		
KMN TELEPHONE CONFERENCE WITH DEBIE WANGSGARD RE: PAYMENTS MADE BY DEBTOR TO SWIRE COCA-COLA	0.30	13.50
06/10/99		
KMN TWO TELEPHONE CONFERENCES WITH DEBBIE WANGSGARD RE: PAYMENTS TO SWIRE COCA-COLA	0.60	27.00
09/15/99		
KMN TELEPHONE CONFERENCE WITH MARSHAL AT FETZERS FOOD	0.30	13.50
01/18/00		
LVE TELEPHONE CONFERENCE WITH MARSHALL FROM FETZER FOODS; DISCUSSED STATUS OF BK; DISCUSSED LIKELIHOOD OF FETZER FOODS BEING ABLE TO PICK UP EQUIPMENT; ANALYZED FILE CONCERNING FETZER FOODS	1.20	114.00
01/31/00		
LVE TELEPHONE CONFERENCE WITH MARSHALL CONCERNING FETZER FOODS SECURITY DOCUMENTS	0.30	28.50
LVE RECEIVED AND REVIEWED FAXED UCC-1 FINANCING STATEMENT FROM MARSHALL OF FETZER FOODS	1.50	142.50
02/01/00		
LVE ANALYZED FETZER FOODS POSITION AS A SECURED CREDITOR IN RELATION TO THE		

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ANDREASON, KIM M./VALORIE KAY DBA MAXI'S
BK CASE # 99-40408

	HOURS	
DEBTOR'S RESTAURANT EQUIPMENT	0.80	76.00
02/07/00		
LVE DICTATED COMPLAINT; RESEARCH ON STATUS OF CUSTOM HEATING COMPANY AS AN IDAHO CORPORATION	1.30	123.50
02/14/00		
DCG RECEIVE AND REVIEW AVCO'S RESPONSE TO TRUSTEES OBJECTION TO CLAIM	0.20	20.00
03/01/00		
LVE TELEPHONE CONFERENCE WITH MARSHALL FOR FETYER FOODS	0.10	9.50
03/13/00		
LVE REVISED COMPLAINT FOR AVOIDANCE OF PREFERENCE PAYMENT	0.80	76.00
03/14/00		
DCG REVISE ADVERSARY COMPLAINT	0.30	30.00
03/16/00		
LVE REVISED COMPLAINT; DRAFTED COVERSHEET; PREPARE SUMMONS	1.00	95.00
KMN TELEPHONE CONFERENCE WITH ROBERT PRINCE, ATTORNEY FOR FETZER'S INC.	0.60	27.00
03/21/00		
LVE RECEIVED AND REVIEWED LETTER FROM FETYER'S ATTORNEYS; TELEPHONE CONFERENCE WITH ROBERT PRINCE ATTORNEY FOR FETYER FOODS	1.30	123.50
03/28/00		
LVE TELEPHONE CONFERENCE WITH ROBERT PRINCE; ATTORNEY FOR FETZER FOODS RE: COPIES OF LEASE AGREEMENTS	0.30	28.50
03/29/00		
LVE RECEIVED AND REVIEWED LEASE AGREEMENT AND SECURITY DOCUMENTS FROM ROBERT PRINCE (ATTORNEY FOR FETYER FOODS	0.30	28.50
03/31/00		
LVE REVISED COVER SHEET FOR COMPLAINT; PREPARED EXHIBITS	0.50	47.50

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ANDREASON, KIM M./VALORIE KAY DBA MAXI'S
BK CASE # 99-40408

	HOURS	
04/03/00		
LVE REVISED COMPLAINT	0.50	47.50
04/25/00		
LVE REVIEWED COMPLAINT AND SUMMONS; REVISED SUMMONS; TELEPHONE CONFERENCE WITH COURT TO ISSUE NEW SUMMONS.	0.90	85.50
KMN PREPARE, HAVE ISSUED AND SEND ANOTHER SUMMONS TO DEFENDANTS	0.60	27.00
05/05/00		
LVE TELEPHONE CONFERENCE WITH ROBERT PRINCE RE: FETZER FOODS POSITION AS LEASEHOLDER	0.50	47.50
05/08/00		
LVE TELEPHONE CONFERENCE WITH ROBERT PRINCE RE: FETZER FOODS. DECTATED LETTER TO L. D. FITZGERALD	0.30	28.50
DCG TELEPHONE CONFERENCE WITH BRIAN MENDENHALL RE: ADVERSARY PROCEEDINGS	0.30	30.00
05/10/00		
LVE TELEPHONE CONFERENCE WITH ALLIANCE TITLE IN SODA SPRINGS RE: CLOSING STATEMENTS CONCERNING 3,000.00 LAND SALE FROM EIKO ANDERSON REVISED LETTER TO L.D. FITZGERALD	0.50	47.50
05/11/00		
LVE REVISED LETTER TO L.D. FITZGERALD; ENCLOSED COPIES OF ALL LEASES. TELEPHONE CONFERENCE WITH ALLIANCE IN SODA SPRINGS RE: EIKO ANDERSON AND CLOSING STATEMENTS. TELEPHONE CONFERENCE WITH BRIAN MENDENHALL'S OFFICE RE: MESSAGE CONCERNING EIKO ANDERSON	0.80	76.00
LVE RECEIVED AND REVIEWED MOTION FOR OFFSET FROM IDAHO STATE INSURANCE FUND; TELEPHONE CONFERENCE WITH GEORGE PARHAM (ATTORNEY GENERAL) RE: MOTION TO OFFSET	0.50	47.50
LVE TELEPHONE CONFERENCE WITH BRIAN MENDENTHALL RE: EIKO ANDERSON AND THE LAND TO SALE TO THE ANDERSON'S	0.30	28.50
05/13/00		
LVE RECEIVED AND REVIEWED STATE INSURANCE		

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ANDREASON, KIM M./VALORIE KAY DBA MAXI'S
BK CASE # 99-40408

	HOURS	
FUND DOCUMENTS FROM ATTORNEY GENERAL DEPUTY GEARGE PARHAM	1.30	123.50
LVE TELEPHONE CONFERENCE WITH CURTIS HARDY (CUSTOM HEATING CO.) RE: PREFERENTIAL PAYMENTS (2 CALLS)	0.60	57.00
05/15/00		
LVE ANALYZED 553 OF BK CODE	0.50	47.50
LVE DICTATED LETTER TO L.D. FITZGERALD	0.30	28.50
05/24/00		
DCG TELEPHONE CONFERENCE WITH JIM SPINNER - ATTORNEY FOR CUSTOM HEATING	0.30	30.00
05/26/00		
DCG RECEIVE AND REVIEW LETTER FROM JIM SPINNER - ATTORNEY FOR CUSTOM HEATING RE: PREFERENCE ACTION	0.30	30.00
06/21/00		
LVE RECEIVED AND REVIEWED LETTER FROM L.D. RE: FETZER FOODS; TELEPHONE CONFERENCE WITH ROBERT PRINCE (ATTY FOR FETZER FOODS) RE: TRUSTEE'S DISCLAIMER OF INTEREST IN RESTAURANT EQUIPMENT; LETTER TO ROBERT PRINCE WITH TRUSTEE'S ATTACHED LETTER	1.00	95.00
07/17/00		
LVE RECEIVED AND REVIEWED NOTICE OF CONDITIONAL DISMISSAL; ANALYZED CLOSING DOCUMENTS FROM ALLIANCE TITLE; ANALYZED STATEMENTS FROM BRIAN MENDENHALL; LETTER TO L.D. RE: CONTEMPORANEOUS EXCHANGE RECOMMEND; REVISED AND FINALIZED LETTER	1.50	142.50
10/06/00		
LVE DICTATED LETTER TO JIM SPINNER RE: CUSTOM HEATING COMPANY	0.30	28.50
10/13/00		
LVE DRAFTED PARTIAL DISMISSAL OF ADVERSARY ACTION OF EIKO ANDERSON; DRAFTED DEFAULT DOCUMENT AGAINST CUSTOM HEATING	0.50	47.50
10/16/00		
LVE DEFAULT DOCUMENTS AGAINST CUSTOM HEATING		

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ANDREASON, KIM M./VALORIE KAY DBA MAXI'S
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	HOURS	
FINALIZED; DISMISSAL DOCUMENTS FINALIZED AS TO EIKO ANDERSON	0.50	47.50
10/18/00		
LVE TELEPHONE CONFERENCE WITH JIM SPINNER RE: SETTLEMENT PROPOSAL WITH CUSTOM HEATING CO.; DRAFTED LETTER TO L.D. FITZGERALD; FAXED TO L.D.; MEMORANDUM TO FILE	0.50	47.50
DCG STATUS RE: SETTLEMENT; TELEPHONE CONFERENCE WITH JIM SPINNER	0.30	30.00
11/01/00		
LVE TELEPHONE CONFERENCE WITH JIM SPINNER RE: SETTLEMENT PROPOSAL; TELEPHONE CONFERENCE WITH L.D.'S OFFICE RE: PROPOSAL FAXED ON 10-18-00; ASKED TO RE-FAX PROPOSAL; FAXED	0.50	50.00
11/02/00		
LVE TELEPHONE CONFERENCE WITH JIM SPINNER RE: SETTLEMENT OF ADVERSARY PROCEEDINGS AGAINST CUSTOM HEATING COMPANY; JIM WILL DRAFT MOTION FOR STIPULATION; MEMORANDUM TO FILE	0.30	30.00
11/16/00		
DCG LETTER TO TRUSTEE RE: MOTION FOR APPRAISAL OF COMPROMISE	0.30	30.00
11/27/00		
KMN PREPARE FOR COMPENSATION & REIMBURSEMENT FOR EXPENSES AND FEES BY TRUSTEE'S ATTORNEY	0.40	20.00
FOR CURRENT SERVICES RENDERED	31.60	2,739.50

RECAPITULATION

ATTORNEY	HOURS	HOURLY RATE	TOTAL
DANIEL C. GREEN	4.30	\$100.00	\$430.00
KATRE M. NYE	5.80	45.34	263.00
LANE V. ERICKSON	21.50	95.19	2,046.50

11/08/00		
DCG FEE REDUCTION PER DCG		-1,904.50
TOTAL CREDIT FOR FEE REDUCTION		-1,904.50

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ANDREASON, KIM M./VALORIE KAY DBA MAXI'S
BK CASE # 99-40408

05/31/99 LONG DISTANCE TELEPHONE EXPENSE	1.72
07/31/99 LONG DISTANCE TELEPHONE EXPENSE FOR JUNE AND JULY	2.38
01/31/00 LONG DISTANCE TELEPHONE EXPENSE	2.09
03/21/00 RECORDING ADVERSARY COMPLAINT	150.00
03/31/00 LONG DISTANCE TELEPHONE EXPENSE	4.09
06/30/00 LONG DISTANCE TELEPHONE EXPENSE	0.70
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TOTAL COSTS	160.98
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TOTAL CURRENT WORK & COSTS	995.98
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BALANCE DUE	\$995.98
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